

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

THE CONSTRUCTION INDUSTRY WELFARE
FUND OF ROCKFORD, ILLINOIS;
THE CONSTRUCTION INDUSTRY
RETIREMENT FUND OF ROCKFORD,
ILLINOIS,

Plaintiffs,

V.

IN LINE DESIGN TILE CO. INC. also known as
IN LINE TILE, INC.

Defendant.

Magistrate Judge Mahoney

Case No. 08 CV 50125

NOTICE OF FILING

TO: In Line Design Tile Co.
a/k/a In Line Tile, Inc.
506 S. 8th Street
Pekin, IL 61554

PLEASE TAKE NOTICE that we have caused to be filed with the Clerk of the United States District Court, Northern District of Illinois, Western Division, Rockford, Illinois, on this **21st** day of **August, 2008**, the attached **MOTION TO DISMISS THIS CASE WITHOUT PREJUDICE** and in support thereof, a true and correct copy of which is herewith served upon you.

Respectfully submitted,
THE CONSTRUCTION INDUSTRY WELFARE
FUND OF ROCKFORD, ILLINOIS; *et. al.*

By: s/Marc M. Pekay
Marc M. Pekay, Attorney for Plaintiffs

MARC M. PEKAY, P.C.
30 N. LaSalle Street, Ste .2426
Chicago, IL 60602
(312) 606-0980

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **MOTION TO DISMISS THIS CASE WITHOUT PREJUDICE** (Case No. 08 CV 50125) to be served upon:

In Line Design Tile Co., a/k/a In Line Tile, Inc.
506 S. 8th Street
Pekin, IL 61554

by placing same in an envelope properly addresses as set out above, and delivering by first class mail, with postage costs paid, by placing in a U.S. Mail box located at 30 N. LaSalle Street, Chicago, Illinois, before the hour of 5:00 p.m. on this **21st** day of **August, 2008.**

BY: s/MARC M. PEKAY
Attorney for Plaintiffs

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